



### DECLARATION

As the below named inventor, I declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### REMOTE DISCONNECT SYSTEMS FOR UTILITY METERS

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the specification of which:

- ☐ is attached hereto.
- ☒ was filed on July 20, 2001 as Application Serial No. 09/910,414 and with amendments through \_\_\_\_\_ (if applicable).
- ☐ was filed as PCT International Application No. PCT/\_\_\_\_\_/\_\_\_\_\_ on \_\_\_\_\_ and as amended under PCT Article 19 and/or PCT Article 34 before the International Preliminary Examining Authority.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent of inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):


_____ (Number)	_____ (Country)	_____ (Day, Month, Year)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day, Month, Year)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim provisional application priority benefits under 35 U.S.C. §119(e) of any provisional application(s) filed under 35 U.S.C. §119(b) listed below:

_____ (Number)	_____ (Day, Month, Year)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Number)	_____ (Day, Month, Year)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Number)	_____ (Day, Month, Year)	<input type="checkbox"/> Yes <input type="checkbox"/> No

<u>09/672,162</u>	<u>Sept. 27, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)
<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial No.)	(Filing Date)	(Status: patented, pending, abandoned)

FULL NAME OF THE INVENTOR: Eric P BERG

INVENTOR'S SIGNATURE: 

DATE SIGNED: 11/9, 2004

RESIDENCE: 7015 W. DOW AVE  
LARGWOOD, CO 80232

CITIZENSHIP: USA

POST OFFICE ADDRESS: c/o Nighthawk Systems, Inc.  
8200 East Pacific Place, Suite 2A  
Denver, CO 80231

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

In re Application of:  
Eric P. Berg

Serial No.: 09/910,414

Filed: July 20, 2001

For: **REMOTE DISCONNECT  
SYSTEMS FOR UTILITY  
METERS**

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Atty Docket No.: NIGA,003

Examiner: Unknown

Group Art Unit: Unknown

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**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Arlington, VA 22213-1450.

Mark R. Wisner, Registration No. 30,603

Date of Signature  
Nov. 17, 2004  
October 2004

COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ARLINGTON, VA 22213-1450

**CERTIFICATE UNDER 37 C.F.R. 3.73(b)**

Dear Sir:

Nighthawk Systems, Inc., a Nevada corporation, certifies that it is the Assignee of the entire right, title and interest in the patent application identified above by virtue of:

☒ A. An Assignment from the inventors of the patent application identified above.

☐ The Assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_; or

☒ A copy thereof is attached.

☐ B. A chain of title from the inventor(s) of the patent/patent application identified above to the current assignee as shown below:

1. From: \_\_\_\_\_  
To: \_\_\_\_\_

☐ The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_; or

☐ A copy thereof is attached.

2. From: \_\_\_\_\_  
To: \_\_\_\_\_

☐ The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_; or

☐ A copy thereof is attached.

3. From: \_\_\_\_\_  
To: \_\_\_\_\_

☐ The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_; or

☐ A copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent/patent application identified above and, to the best of undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereof.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

COPY

## ASSIGNMENT

WHEREAS, Eric P. Berg, whose residence address is 2801 East 120<sup>th</sup> Avenue, Ap't B101, Thorton, CO 80233 (the "Assignor") having invented a certain new and useful invention for an "REMOTE DISCONNECT SYSTEMS FOR UTILITY METERS" for which we are filing an application for Letters Patent of the United States herewith, said application being identified as Docket Number Disconnect, in the offices of Glenn L. Webb, P.O. Box 951, Conifer, CO 80433.

WHEREAS, Peregrine Control Technologies, Inc. whose post office address is 800 East Pacific Place, Suite 204, Denver, CO 80231 (the "Assignee") is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and application for Letters Patent in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration of an employment agreement between said Assignors and said Assignee and other good and valuable consideration, receipt whereof is hereby expressly acknowledged, the aforesaid, Eric P. Berg hereby sell, transfer and set over, subject to the terms of said prior agreement, to the said Assignee, successors, legal representatives and assigns, the entire right, title and interest in and to the aforesaid invention and the aforesaid application, for the territory of the United States of America and for all foreign countries, and to all Letters Patents, divisions, continuations, continuations-in-part, substitutions, reissues, reexaminations and extensions to be obtained therefor; and I further agree to cooperate with the said Assignee hereunder in the obtaining and the sustaining of any or all such Letters Patent but at the expense of the said Assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with this Assignment, to the said Assignee, his successors, legal representatives and assigns, as the Assignee of the entire right, title and interest therein.

Further, I agree that I will communicate to said Assignee, or its representatives any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all division, continuation, continuation-in-part, substitution, reissue, reexamination and extension applications, execute all necessary assignment paper to cause any and all of said

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Letters Patent to be issued to said Assignee, make all rightful oaths and generally do everything necessary or desirable to aid said Assignee its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

This Assignment is executed by the undersigned as of the respective date set forth below to be effective as of the respective date set forth below.

Date: 7/13/01 EMPJ